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REMARKS

In the Office Action, the Examiner indicates that claims 14, 15, and 34-52 are allowed and claims 8-10 recite allowable subject matter. Applicants wish to thank the Examiner for indicating allowable subject matter.

Also in the Office Action, the Examiner has rejected claims 1-3 and 5-7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,276,821 issued to Pastrick et al.; and rejected claims 4, 16-30, 32, 33, 53, and 54 under 35 U.S.C. § 103(a) as being unpatentable over Pastrick et al. in view of U.S. Patent No. 5,786,772 issued to Schofield et al.

By this Amendment, Applicants have amended claim 54 to rewrite the claim in independent form and have canceled claim 53 without prejudice. Claims 1-10, 14-30, 32-52, and 54 are currently pending.

With respect to the rejection of claims 1-3 and 5-7 under 35 U.S.C. § 103(a) as being unpatentable over Pastrick et al., Applicants submit that the Pastrick et al. fails to teach or suggest each and every feature of independent claim 1 and thus also of claims 2, 3, and 5-7.

With respect to independent claim 1, the Examiner contends that although Pastrick et al. does not disclose placing a door handle illuminator behind the mirror element, it would have been obvious to modify the mirror assembly of Pastrick et al. “to reposition the security light behind the mirror, since it has been held that rearranging parts of an invention involves only routine skill in the art.” The Examiner continues to state “therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention to reposition the security light behind the mirror for the purpose of the security light is previously behind a reflector (62), therefore repositioning the security light behind a different reflector would not alter its function (col. 7, lines 39-40).”

Applicants do not understand the Examiner’s logic insofar as the reflector 62 (Fig. 8) of Pastrick et al. is a reflector positioned behind and around the light source 60a so as to redirect and condense the light in the desired direction. Repositioning reflector 62 to be in front of light

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source 60a would completely alter the function of the reflector as it would no longer be used to redirect and condense light, but instead would serve to block a significant portion of the light from reaching its intended target.

The prior art does not suggest the desirability of the modification suggested by the Examiner. One skilled in the art wishing to provide the functionality of the security light disclosed in Pastrick et al. would simply make the mirror assembly as Pastrick et al. as disclosed without modification. There is no teaching in the prior art suggesting it would be desirable to modify Pastrick et al. to move the security light so as to project through the mirror. In fact, one skilled in the art would likely not have found it desirable to move the security light in Pastrick et al. from the bottom of the mirror housing to a location behind the mirror element. First, the mirror element would have to be modified to allow light to pass therethrough. Either a large window would need to be formed by removing all or a portion of the reflective layer over a correspondingly large area to allow light to pass through the layer, or the reflective layer would need to be formed as a semitransparent layer. However, in the first case, removal of the reflective layer is undesirable because it reduces the viewing area of the mirror. In the second case, a semitransparent layer must still reflect most of the light and, thus, only a small percentage (i.e., less than 20%) of the light can pass through the semitransparent layer. Thus, moving the security light of Pastrick et al. behind a semitransparent reflective layer would undesirably significantly reduce the intensity and range of the light. Further, by moving a previously stationary light source to a location that moves with the mirror, it is more difficult to aim the light in the desired direction.

Thus, it is clear that the combined teachings of Pastrick et al. fail to teach or suggest each and every feature recited in independent claim 1 and a *prima facie* case of obviousness has not been established. Thus, independent claim 1 and claims 2, 3, and 5-7, which depend therefrom, are allowable over Pastrick et al.

Applicants respectfully traverse the rejection of claims 4, 16-30, 32, 33, 53, and 54 under 35 U.S.C. § 103(a) as being unpatentable over Pastrick et al. in view of issued to Schofield et al.

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With respect to claim 4, Schofield et al. fails to teach or suggest a rearview mirror assembly for a vehicle having a mirror and door illuminator light source configured to project light towards a door handle and/or locking mechanism of the vehicle, wherein the door illuminator light source is disclosed behind the mirror so as to project light through the mirror. Accordingly, Schofield et al. fails to teach or suggest the features of claim 1 that are not disclosed by Pastrick et al., and thus these references fail to teach or suggest each and every feature of claim 4. Claim 4 is thus allowable over these references.

Independent claim 22 recites a rearview mirror assembly for a vehicle comprising “a housing configured for attachment to the vehicle; a mirror positioned in said housing; a turn signal light; and a door illuminator light configured to project light at a portion of a door of the vehicle wherein said door illuminator light source is disposed behind said mirror so as to project light through said mirror; and a blind spot indicator light for indicating when an object is detected in a blind spot of the vehicle.” As stated above with respect to claims 1 and 4, the combined teachings of Pastrick et al. and Schofield et al. fail to teach or suggest a rearview mirror assembly for a vehicle having a mirror and a door illuminator light source configured to project light towards a door handle and/or locking mechanism of the vehicle, wherein the door illuminator light source is disclosed behind the mirror so as to project light through the mirror. Accordingly, independent claim 22, as well as claims 23-31, which depend therefrom, are allowable.

Independent claim 54 recites a rearview mirror subassembly for a vehicle comprising “a mirror; a turn signal light; and a blind spot indicator light for indicating when an object is detected in a blind spot of the vehicle, wherein said turn signal light and said blind spot indicator light are positioned behind said mirror so as to project light through said mirror.”

The combined teachings of Pastrick et al. and Schofield et al. fail to teach or suggest a rearview mirror subassembly for a vehicle having a mirror and both a turn signal light and a blind spot indicator where *both* are positioned behind the mirror so as to project light through the mirror. Accordingly, independent claim 54 is allowable.

With respect to the rejection of claim 16, the Examiner correctly admits that Pastrick et al. does not disclose a blind spot indicator light source for indicating when an object is detected

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in a blind spot of the vehicle. The Examiner, however, contends that Schofield et al. discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle. The Examiner refers to column 3, lines 17-22 of Schofield et al. The Examiner then contends that it would have been obvious to combine the device of Pastrick et al. with the blind spot indicator of Schofield et al. for the purpose of allowing the driver to recognize another vehicle in the blind spot.

Independent claim 16 is directed to a *light module* for a vehicle rearview mirror assembly, where the light module comprises “a blind spot indicator for indicating when an object is detected in a blind spot of the vehicle; and a door illuminator configured to project light at a portion of a door of the vehicle.” As described in the present application and shown in the drawings, a door illuminator and a blind spot indicator included in the same “light module for a vehicle rearview mirror assembly” would share a common functional or support component other than the components of the vehicle rearview mirror assembly. By way of example, the door illuminator and the blind spot indicator included in the same light module would share a common light source, circuit board, reflector, lens or other optical element, or other support structure that supports the door illuminator and blind spot indicator so as to form a module that may be subsequently assembled into a rearview assembly in a modular fashion.

Even if the blind spot indicator of Schofield et al. were provided in the mirror assembly of Pastrick et al., it would not result in a “light module” that comprises both a blind spot indicator and a door illuminator. Instead, the door illuminator would be mounted at the bottom of the mirror housing, while the blind spot illuminator would be to the back of the moveable mirror element so as to project light through the mirror element. The two lights could not share a common functional or structural support component because they are mounted too far apart and one would move relative to the other. Thus, there is no reason why one of ordinary skill in the art would have considered modifying the resultant structure to include the two lights in a common light module.

In the Office Action, the Examiner responded to the above arguments by stating that “the rearview mirror assembly can be altered from its original structure. By combining the

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devices of Pastrick et al. and Schofield et al., it is possible to permit the door illuminator and the blind spot indicator to share a light source, circuit board, reflector, and lens.”

However, the placement of a blind spot indicator in the mirror assembly of Schofield et al. would not result in the blind spot indicator and any door illuminator to be included in a single light module. Instead, they would merely be included in the same mirror assembly. More specifically, the alleged door illuminator of Pastrick et al. is provided within the mirror housing below the mirror element, whereas the blind spot indicator is positioned behind the mirror element. With this construction, the blind spot indicator could not possibly be combined with the door illuminator into a single light module since the blind spot indicator would need to be able to move with the mirror element whereas the door illuminator would be stationary relative to the vehicle. The Examiner’s comments regarding the sharing of a light source, circuit board, reflector, and lens is clearly based on impermissible hindsight reconstruction of the claimed invention.

For these reasons, independent claim 16, as well as claims 17-21, which depend therefrom, are allowable over the teachings of Pastrick et al., Sugihara et al., and Schofield et al. whether considered alone or in combination.

Like independent claim 16, independent claim 32 is directed to a “light module” including a blind spot indicator. In the case of claim 32, however, the recited light module includes a turn signal rather than a door illuminator. For the reasons stated above with respect to claim 16, The combined teachings of Pastrick et al. and Schofield et al. do not disclose a “light module” that includes more than one functional light element. Note that the turn signal and security light of Pastrick et al. are separate from one another and are not included in a common module. There is no teaching or suggestion in the prior art to motivate one skilled in the art to combine the various lights into a common module.

Accordingly, the combined teachings of Pastrick et al. and Schofield et al. also fail to teach or suggest the features of independent claim 32. Claim 32 is thus patentable over the teachings of these three references. Claim 33 depends from claim 32 and thus is also allowable over the teachings of these references based upon its dependence.

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In view of the foregoing amendment and remarks, Applicants respectfully submit that the present invention, as defined in the pending claims, is allowable over the prior art of record. The Examiner's reconsideration and timely allowance of the claims is requested. A Notice of Allowance is therefore respectfully requested.

Respectfully submitted,

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